

CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 09/27/05

AGENDA ITEM 6

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: Text Amendment Application No. PL-2004-0632 – Request to Amend the Parking Ordinance to Allow Tandem Parking for Multi-Family Residences Citywide – The Olson Company (Applicant)

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution approving the Negative Declaration and introduce the attached ordinance.

BACKGROUND:

The Parking Ordinance permits the use of tandem parking spaces only in conjunction with single-family residences and mobilehomes, and with multi-family residences in the Downtown. The use of tandem parking spaces has raised concerns because of the maneuvering that is required when cars are parked end-to-end, potentially causing conflicts when "jockeying" cars in and out of streets and access ways. In single-family neighborhoods, the impact is reduced because of the distance between driveways and the presence of street parking. In the Downtown, tandem garages are desirable because they allow dwelling designs that enable greater density. Downtown projects also have the advantage of being served by a cluster of public transit opportunities. The ability to use transit makes it possible for residents to use fewer vehicle trips and even to own fewer vehicles.

Several developers continue to investigate the development of multi-family residential projects with tandem parking outside of the Downtown. There is also an interest in using tandem parking in the Cannery Area, in order to comply with the density requirements of the Design Plan. It is likely that there also would be a need to use tandem parking in the South Hayward BART Study Area.

Tandem parking is becoming more common in the Bay Area. Several cities have recently approved urban residential projects with a substantial number of tandem parking garages. "Station Square" is under construction in Downtown Livermore and will provide 75 percent of its 110 units with tandem parking. "The Estuary," on the waterfront of Oakland, is nearing completion with all of its units provided with tandem parking. "City Limits" in Emeryville is also nearing completion with 92 units provided with a combination of single, tandem and side-by-side garages. "Cahill Park," in Midtown San Jose, will provide all of its 160 units with tandem parking. In the Berryessa area of San Jose, "Baton Rouge" will provide 60 percent of its 91 units with tandem parking.

Downtown Hayward has already provided a local lab for tandem parking use and it has been found that the residents plan for its use when choosing to live in an urban environment. The ability to use tandem garages in other portions of the City would provide for a greater diversity of housing type and design while providing the higher densities required for transit-oriented development.

DISCUSSION:

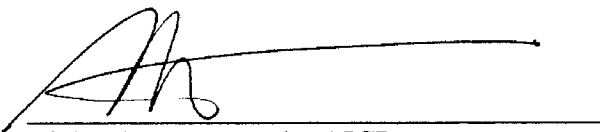
The Planning Commission recommended approval (6:1) of this text amendment at its meeting of September 8, 2005, supporting the City's Housing Policies and Strategies call to provide "an adequate supply of housing units in a variety of housing types which accommodate the diverse housing needs" of residents. The use of tandem parking spaces could provide for a greater range of design opportunities for multi-family projects and allow higher densities where desired, especially when using townhouse-style units. The narrower garage doors read as single-car garages and would have fewer tendencies to dominate the architectural design.

Generally, the amendment (Attachment A) would allow for the use of tandem parking for 35 percent of the units in any multi-family residential projects outside the Downtown when 1) the development contains at least 20 units; 2) it is located in proximity to public transportation; 3) the tandem garages are spaced or grouped such that vehicular movement conflicts are minimized; and 4) the tandem garages are located such that vehicles back out into an alley or courtyard that provides access to parking facilities only. The percentage of units with tandem garages may be increased by the Planning Commission or the City Council where such increase serves to meet the goals of an officially-adopted Design Plan, such as the Cannery Design Plan. The provisions of the proposed amendment would alleviate concerns related to the use of tandem parking by reducing the vehicle maneuvering conflicts and make the use of tandem parking acceptable in multi-family residential projects outside of the Downtown.

CONCLUSION:

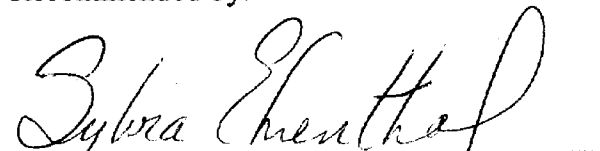
The proposed text amendment is consistent with the General Plan Housing Element policies calling for "an adequate supply of housing units in a variety of housing types which accommodate the diverse housing needs" of the City of Hayward. The Parking Ordinance already allows tandem parking spaces for single-family residences, mobilehomes, and multi-family residences in the Downtown.

Prepared by:



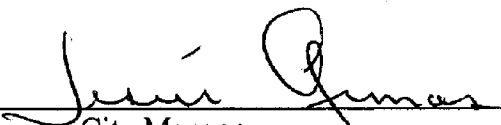
Richard E. Patenaude, AICP
Principal Planner

Recommended by:



Sylvia Ehrental
Director of Community and Economic Development

Approved by:



Jesús Armas, City Manager

Attachments:

- Exhibit A. Negative Declaration and Environmental Checklist Form
- Exhibit B. Planning Commission Staff Report and Minutes dated September 8, 2005
- Draft Resolution and Ordinance

9/22/05



CITY OF HAYWARD NEGATIVE DECLARATION

Notice is hereby given that the City of Hayward finds that this project could not have a significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. PROJECT DESCRIPTION:

Text Amendment No. PL-2004-0632: A text amendment to Section 10-2.407 of the Municipal Code, "Off-Street Parking Regulations," to allow the use of tandem parking spaces in conjunction with multi-family residences outside of the Central Parking District.

II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:

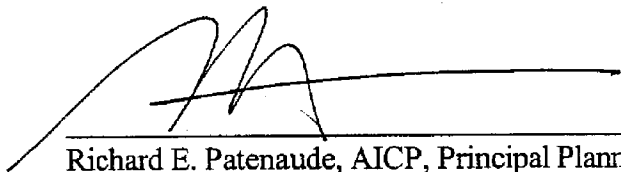
The proposed project could not have a significant effect on the environment.

FINDINGS SUPPORTING DECLARATION:

1. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project could not result in significant effects on the environment.
2. The project would not adversely affect any scenic resources as the project would not directly lead to any development. In the case of the construction of a project taking advantage of this text amendment, impacts to the environment would be evaluated.
3. The project would not result in significant impacts related to changes in air quality as the project would not directly lead to any development. In the case of the construction of a project taking advantage of this text amendment, impacts to the environment would be evaluated.
4. The project would not result in significant impacts to biological resources such as wildlife and wetlands since this the text amendment would not directly lead to any development. In the case of the construction of a project taking advantage of this text amendment, impacts to the environment would be evaluated.
5. The project will not result in significant impacts to cultural resources including historical resources, archaeological resources, paleontological resources, unique topography or disturb human remains since this the text amendment would not directly lead to any development. In the case of the construction of a project taking advantage of this text amendment, impacts to the environment would be evaluated.

6. The project would not result in a significant impact in regard to seismic hazards as the project would not directly lead to any development.
7. The project is not inconsistent with the General Plan policies of the City of Hayward.
8. The project would not result in a significant impact to recreational facilities and parks as the project would not directly lead to any development. In the case of the construction of a project taking advantage of this text amendment, impacts to the environment would be evaluated.
9. The project would not result in a significant impact to public services as the project would not directly lead to any development. In the case of the construction of a project taking advantage of this text amendment, impacts to the environment would be evaluated.
10. The project would not result in a significant impact to sanitary sewer services as the project would not directly lead to any development. In the case of the construction of a project taking advantage of this text amendment, impacts to the environment would be evaluated.

III. PERSON WHO PREPARED INITIAL STUDY:



Richard E. Patenaude, AICP, Principal Planner
Dated: January 7, 2005

IV. COPY OF INITIAL STUDY (ENVIRONMENTAL CHECKLIST) IS ATTACHED

For additional information, please contact the City of Hayward, Planning Division, 777 B Street, Hayward, CA 94541-5007; telephone (510) 583-4213 or e-mail richard.patenaude@hayward-ca.gov.

DISTRIBUTION/POSTING

- Provide copies to all organizations and individuals requesting it in writing.
- Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing.
- Project file.
- Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.
- Provide copy to the Alameda County Clerk's Office.



Environmental Checklist Form

1. Project title: **Text Amendment No. PL-2004-0632**
2. Lead agency name and address:
City of Hayward, 777 B Street, Hayward, CA 94541
3. Contact person:
Richard E. Patenaude, AICP, Principal Planner, (510) 583-4213, richard.patenaude@hayward-ca.gov
5. Project sponsor's name and address: Joe Bradford, The Olson Company, 3130 Crow Canyon Rd., Ste. 210, San Ramon, CA 94583
6. General plan Designation: N/A 7. Zoning: N/A
8. Description of project: A text amendment to Section 10-2.407 of the Municipal Code, "Off-Street Parking Regulations," to allow the use of tandem parking spaces in conjunction with multi-family residences outside of the Central Parking District.
9. Surrounding land uses and setting: N/A
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) None


ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature

Date: January 7, 2005

Richard E. Patenaude, AICP
Printed Name

City of Hayward
Agency

ENVIRONMENTAL ISSUES:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista? <i>Comment: The text amendment would not affect any scenic vista.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? <i>Comment: The text amendment would not damage scenic resources.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings? <i>Comment: The text amendment will not detrimentally affect the visual character or quality of any project site in the City of Hayward.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? <i>Comment: The text amendment would not create a substantial source of light or glare.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the text amendment:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? <i>Comment: The text amendment would not affect farmland. The affected multi-family residences would occur in urbanized areas.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? <i>Comment: See II.a) above.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? <i>Comment: See II.a) above.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the text amendment:

- a) Conflict with or obstruct implementation of the applicable air quality plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The text amendment would not obstruct the implementation of any air quality plan.

- b) Violate any air quality standard or contribute substantially to an existing or text amendment air quality violation?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comments: The text amendment would not negatively affect air quality.

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the text amendment region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See III.b) above.

- d) Expose sensitive receptors to substantial pollutant concentrations?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See III.b) above.

- e) Create objectionable odors affecting a substantial number of people?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The See III.b) above.

IV. BIOLOGICAL RESOURCES -- Would the text amendment:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The text amendment would not adversely affect biological resources.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See IV.a) above.

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| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
<i>Comment: See IV.a) above.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
<i>Comment: See IV.a) above.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
<i>Comment: See IV.a) above.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?
<i>Comment: See IV.a) above.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

V. CULTURAL RESOURCES -- Would the text amendment:

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| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?
<i>Comment: The text amendment will not adversely affect historical resources.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
<i>Comment: See V.a) above.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
<i>Comment: See V.a) above.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries?
<i>Comment: See V.a) above.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VI. GEOLOGY AND SOILS -- Would the project:

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| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. <i>Comment: The text amendment would not in itself expose people or structures to potential adverse effects of fault rupture.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking? <i>Comment: The text amendment would not in itself expose people or structures to potential adverse effects of seismic ground shaking.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? <i>Comment: The text amendment would not in itself expose people or structures to potential adverse effects of liquefaction.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? <i>Comment: The text amendment would not in itself expose people or structures to potential adverse effects of landslides.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? <i>Comment: The text amendment would not in itself result in substantial erosion or the loss of topsoil.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? <i>Comment: The text amendment would not in itself affect sites on unstable soils or geologic units.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? <i>Comment: The text amendment would not in itself affect sites on unstable soils or geologic units.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? <i>Comment: There is a sewer and stormwater system in place in the City of Hayward. Septic tanks or alternative wastewater disposal systems are not necessary.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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VII. HAZARDS AND HAZARDOUS MATERIALS - Would the text amendment:

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| a) | Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | <i><u>Comment:</u> The text amendment would not create a need for the transport, use or disposal of hazardous materials.</i> | | | | |
| b) | Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | <i><u>Comment:</u> See VII. a).</i> | | | | |
| c) | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | <i><u>Comment:</u> See VII. a).</i> | | | | |
| d) | Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | <i><u>Comment:</u> The text amendment would not in itself involve any site included on a list of hazardous materials sites.</i> | | | | |
| e) | For a text amendment located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | <i><u>Comment:</u> This text amendment would not in itself involve any site located within an airport plan area or within two-miles of the Hayward Air Terminal.</i> | | | | |
| f) | For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | <i><u>Comment:</u> See VII. e).</i> | | | | |
| g) | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | <i><u>Comment:</u> The text amendment would not interfere with any adopted emergency response or evacuation plan.</i> | | | | |

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| g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The text amendment in itself would not affect any wildland site. | | | | |

VIII. HYDROLOGY AND WATER QUALITY -- Would the text amendment:

- | | | | | |
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| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The text amendment would not lead to violation of any water quality standards or waste discharge requirements. | | | | |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The text amendment would not result in the depletion of ground water supplies. | | | | |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The text amendment would not result in substantial erosion or siltation on-or off-site. | | | | |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The text amendment would not affect drainage patterns and would not cause flooding. | | | | |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The text amendment would not have any affect on stormwater drainage. | | | | |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> See VIII. a). | | | | |

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| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
<i>Comment: The text amendment would not create housing or any structures.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
<i>Comment: See VIII. g).</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
<i>Comment: See VIII. g).</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow?
<i>Comment: The text amendment does not involve a specific location.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IX. LAND USE AND PLANNING - Would the project;

- | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community?
<i>Comment: The text amendment would not result in a physical development.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
<i>Comment: The text amendment is consistent with the General Plan.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan?
<i>Comment: The text amendment would not result in a physical development.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

X. MINERAL RESOURCES – Would the project:

- | | | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
<i>Comment: The text amendment would not affect mineral resources.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?
<i>Comment: See X. a).</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. NOISE - Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>The text amendment would produce no noise.</i>				
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>The text amendment would not cause the exposure of persons to noise or vibration.</i>				
c) A substantial permanent increase in ambient noise levels in the text amendment vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>See XI. a).</i>				
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>See XI. a).</i>				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>See XI.a). The project does not involve a specific site.</i>				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>See XI.a). The project does not involve a specific site.</i>				
XII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>The text amendment would not result in a specific development.</i>				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>See XII. a).</i>				
b) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>See XII. a).</i>				

XIII. PUBLIC SERVICES

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------------	---------------------------------------------------------------------	------------------------------------	--------------

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The proposed text amendment will have no effect upon, government services in fire and police protection, maintenance of public facilities, including roads, and in other government services. | | | | |
| b) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> See XIII. a). | | | | |
| c) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> See XIII. a). | | | | |
| d) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> See XIII. a). | | | | |
| e) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> No other public facilities would be significantly impacted. | | | | |

XIV. RECREATION --

- | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The text amendment would have no affect on parks or recreational facilities. | | | | |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> See XIV. a). | | | | |

XV. TRANSPORTATION/TRAFFIC -- Would the project:

- | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The text amendment would have no affect on traffic of any kind. | | | | |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? <i>Comment: See XV. a).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? <i>Comment: See XV. a).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? <i>Comment: See XV. a).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? <i>Comment: The text amendment would not affect emergency access.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity? <i>Comment: The text amendment would not affect parking.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? <i>Comment: The text amendment would not conflict with adopted policies supporting alternative transportation.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? <i>Comment: The text amendment would not create wastewater.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>Comment: See XVI. a).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>Comment: The text amendment would not affect storm water drainage.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? <i>Comment: The text amendment would have no effect on water supplies.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | Potentially
Significant
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Significant
Unless
Mitigation
Incorporation | Less Than
Significant
Impact | No
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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|---------------------------------------------------------------------|------------------------------------|-------------------------------------|
| e) Result in a determination by the wastewater treatment provider, which serves or may serve the text amendment that it has adequate capacity to serve the project's demand in addition to the provider's existing commitments?
<i>Comment: See XVI. a).</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
<i>Comment: The text amendment would not create solid waste.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?
<i>Comment: See XVI. f).</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

- | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a text amendment are considerable when viewed in connection with the effects of past text amendments, the effects of other current text amendments, and the effects of probable future text amendments)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |



CITY OF HAYWARD AGENDA REPORT

Meeting Date 9/08/05
Agenda Item 2

TO: Planning Commission

FROM: Richard E. Patenaude, AICP, Principal Planner

SUBJECT: Text Amendment Application No. PL-2004-0632 – Joseph Bradford for The Olson Company (Applicant) - Request to Amend the Parking Ordinance to Allow Tandem Parking for Multi-Family Residences Citywide

RECOMMENDATION:

Staff recommends that the Planning Commission recommend that the City Council:

1. Adopt the Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA) guidelines; and
2. Approve the proposed text amendment, subject to the attached findings.

BACKGROUND

The Parking Ordinance (Section 10-2.407) permits the use of tandem parking spaces only in conjunction with single-family residences and mobilehomes, and with multi-family residences in the Downtown when both spaces are assigned to the same dwelling unit and are enclosed within a garage. The use of tandem parking spaces has been restricted because an extra amount of maneuvering is required when cars are parked end-to-end, potentially causing conflicts when "jockeying" cars in and out of streets and access ways. In single-family neighborhoods, the impact is reduced because of the distance between driveways and the presence of street parking. In the Downtown, tandem garages are desirable because they allow dwelling designs that enable greater density. Downtown projects also have the advantage of being served by a cluster of public transit opportunities. The ability to use transit makes it possible for residents to use fewer vehicle trips and even to own fewer vehicles.

The Olson Company is now investigating the development of residential projects outside of the Downtown. There is also an interest by other developers in using tandem parking in the Cannery Area and in Eden Shores.

DISCUSSION

The City's Housing Policies and Strategies call to provide "an adequate supply of housing units in a variety of housing types which accommodate the diverse housing needs" of residents. The use of tandem parking spaces could provide for a greater range of design opportunities for multi-family projects and allow higher densities where desired, especially when using townhouse-style units. The narrower garage doors read as single-car garages and would have less tendency to dominate the architectural design. State law charges local jurisdictions to provide their fair share of needed housing. Recognizing that tandem parking could provide for denser projects with adequate parking, the State requires local jurisdictions to allow tandem parking for projects using a density bonus to provide affordable housing opportunities. However, some residents of units with tandem garages may find them inconvenient because of having to "jockey" their cars.

Staff remains concerned that such parking spaces could lead to conflicts with vehicles maneuvering within constrained common access drives, especially as densities increase. Staff recommends that the provision of tandem parking spaces be subject to specific conditions in order to mitigate the concerns, including a limitation on the number of units with tandem parking garages, spacing of those units, placement only on minor drives, and placing the driveways such that they avoid intersections and other driveways. These conditions would reduce the vehicle maneuvering conflicts and make the use of tandem parking acceptable in multi-family residential projects outside of the Downtown.

Therefore, staff recommends the following text amendment to the Parking Ordinance (Section 10-2.407 TANDEM PARKING SPACES) [added text in *italics*]:

- "Tandem parking is permitted for single-family and mobilehomes.
- Tandem parking may be permitted by the ~~Director of Community and Economic Development~~ Planning Director for multi-family residences in the Central Parking District when both spaces are assigned to the same dwelling unit and are enclosed within a garage.
- *Tandem parking may be permitted by the Planning Commission for multi-family residences outside the Central Parking District when both spaces are assigned to the same dwelling unit and are enclosed within a garage and when 1) the development contains at least 20 units and is located within 1,000 feet of a bus route with 7-day service or a rail station; 2) no more than 35 percent of the residences are provided tandem spaces; 3) the tandem garages are spaced or grouped such that vehicular movement conflicts are minimized; and 4) the tandem garages are located such that vehicles back out into an alley or courtyard that provides access to parking facilities only. The percentage of units with tandem garages may be increased by the Planning Commission where such increase serves to meet the goals of an officially-adopted Design Plan, including, but not limited to, density and architectural design.*
- Tandem parking may be permitted by the ~~Director of Community and Economic Development~~ Planning Director for commercial parking facilities when a valet/attendant is on duty during the hours when the facility is being used."

Staff surveyed cities throughout the State regarding whether tandem parking is allowed in their jurisdictions. Livermore and Milpitas allow them in high-density developments. Alameda allows their use for any residential unit, Brentwood allows them in mobilehome parks, and Dublin allows them for single-family dwellings. Millbrae and Saratoga allow them only on narrow single-family residential lots. Concord, Pacifica, Richmond, San Francisco and Walnut Creek allow the use of tandem parking spaces, but do not count them toward meeting the minimum number of required spaces. Redwood City does not allow them under any circumstance.

Tandem parking is becoming more common in the Bay Area however. Several cities have recently approved urban residential projects with a substantial number of tandem parking garages. "Station Square" is under construction in Downtown Livermore and will provide 75 percent of its 110 2- to 3-bedroom units with tandem parking. "The Estuary," on the waterfront of Oakland, is nearing completion with all of its 2- to 3-bedroom units provided with tandem parking. "City Limits" in Emeryville is also nearing completion with 92 2-bedroom units provided with a combination of single, tandem and side-by-side garages. "Cahill Park," in Midtown San Jose, will provide all of its 160 4-bedroom units with tandem parking. In the Berryessa area of San Jose, "Baton Rouge" will provide 60 percent of its 91 units with tandem parking. "Cahill Park" is adjacent to a Caltrain/light rail station; "Baton Rouge" is near two light rail stations. Staff continues to solicit additional information from area cities and will report on that information at the hearing.

The Commission previously heard this matter at its meeting of June 9, 2005. The Commissioners requested a continuance to allow staff additional time to address changes to the proposed text and to provide other supportive information. In response, a Commission work session was held on July 14, 2005, to which local developers were invited. Charles McKeag, Citation Homes, suggested that Downtown Hayward has already provided a local lab for tandem parking use and that the residents plan for its use when choosing to live in an urban environment. He stated that their experience is that, with townhouse style development, side-by-side garages will yield 18 dwelling units per acre, with 50 percent tandem garages 25 units per acre, and with all tandem garages 32 units per acre. Joe Felson commented that his Diamond Crossing project already provides a one-car garage with an uncovered space in the driveway, operating essentially as a tandem garage. Michael Cady, Duc Housing, commented that the ability to use tandem garages would provide an opportunity to use a greater diversity of housing type and design. Its use could make higher-density projects viable without using the density bonus law while still meeting the requirements of the City's Inclusionary Housing Ordinance.

ENVIRONMENTAL REVIEW:

An Initial Study and Negative Declaration have been prepared pursuant to the California Environmental Quality Act (CEQA) guidelines. The Initial Study has determined that the proposed project could not result in significant effects on the environment. On January 7, 2005, notice that an Environmental Initial Study and Negative Declaration had been prepared was posted in the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches. No comment was received.

PUBLIC NOTICE:

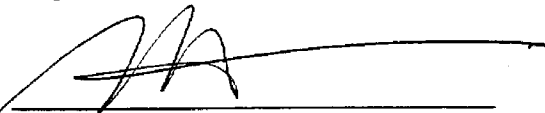
A Referral Notice was sent to every major housing developer that has been active within the City of Hayward. Staff received support for an amendment from four housing developers: Duc Housing Partners, Felson Companies, Braddock & Logan Services, and Pulte Homes.

On August 26, 2005, a Notice of Public Hearing for the Planning Commission meeting also was published in the local newspaper, *The Daily Review*. The housing developers also were notified of the public hearing.

CONCLUSION:

The proposed text amendment is consistent with the General Plan Housing Element policies calling for "an adequate supply of housing units in a variety of housing types which accommodate the diverse housing needs" of the City of Hayward. The Parking Ordinance already allows tandem parking spaces for single-family residences, mobilehomes, and multi-family residences in the Downtown.

Prepared and Recommended by:



Richard E. Patenaude, AICP
Principal Planner

Attachments:

- A. Findings for Approval
- B. Environmental Initial Study and Negative Declaration

FINDINGS FOR APPROVAL

TEXT AMENDMENT APPLICATION NO. PL-2004-0632

Joseph Bradford for The Olson Company (Applicant)

**Request to Amend the Parking Ordinance to Allow Tandem Parking for Multi-Family
Residences Citywide**

- A. Approval of Text Change Application No. 2004-0632 would not cause a significant impact on the environment as documented in the Initial Study prepared per the California Environmental Quality Act Guidelines;
- B. The proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward in that the ability to design multi-family residences will allow for diversity in the type of housing units, more attractive facades and the ability to provide greater density than could otherwise be accommodated;
- C. The proposed change is in conformance with all applicable, officially adopted policies and plans in that the Housing Element of the General Plan calls to provide "an adequate supply of housing units in a variety of housing types which accommodate the diverse housing needs" of residents; and
- D. Allowing residential units with tandem garages, as conditioned with limitations regarding extent of use and location, will be compatible with present and potential future uses in the multi-family residential zoning districts, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations.



**MINUTES OF THE REGULAR MEETING OF THE
CITY OF HAYWARD PLANNING COMMISSION
Council Chambers
Thursday, September 8, 2005, 7:30 p.m.
777 B Street, Hayward, CA 94541**

Commissioner McKillop supported the motion and mentioned that the applicant went beyond addressing the issues requested at the last Commission meeting and spoke favorably about preserving the trees and historic house.

Commissioner Bogue asked for a friendly amendment to insure that the condition as stated in the Mitigated Negative Declaration remains, which states that the carriage house be relocated to the same lot as the historic house and converted to a two-car garage. The amendment was accepted by Commissioners Lavelle and Zermeno.

Commissioner Sacks supported the motion. She expressed that although the project presented concerns, the applicant went beyond the requirement to try to mitigate potential problems. She commended Mr. Rocha's comment regarding safety and the need to consider the people that are going to live there. She commended staff and the developer for the work done.

Commissioner Peixoto commended the developer for addressing the issues of concerns and mostly for the interaction with the neighbors and the sensitivity to the community.

Commissioner Thnay supported the motion and thanked staff and the developer for a comprehensive report.

Assistant City Attorney Conneely clarified that even though staff recommended denial of the project, the report included findings and conditions of approval, and that the motion would be subject to them.

Commissioner Lavelle moved, seconded by Commissioner Zermeno, and approved to adopt the Initial Study, Mitigated Negative Declaration and Mitigation Monitoring Plan prepared pursuant to the California Environmental Quality Act (CEQA) guidelines; and approve the zone change and the preliminary development plan; and approve the Vesting Tentative Tract Map application.

AYES: COMMISSIONERS Lavelle, Sacks, McKillop,
Peixoto, Zermeno
CHAIR Thnay
NOES: COMMISSIONER Bogue
COMMISSIONER None
ABSTAIN: COMMISSIONER None

2. Text Amendment Application No. PL-2004-0632 – Joseph Bradford for The Olson Company (Applicant) – Request to Amend the Parking Ordinance to Allow Tandem Parking for Multi-Family Residences Citywide

Staff report submitted by Principal Planner Patenaude, dated September 8, 2005, was filed.

Principal Planner Patenaude indicated that the item was continued from a meeting on June 9 at a request of the Commissioners for additional study. Principal Planner Patenaude added that he visited some of the projects mentioned in the report and that from interaction with downtown residents he did not get a negative response, but learned that tandem parking is an issue of choice. Principal Planner Patenaude presented the report and answered questions from the Commissioners.

In response to Commissioner Zermeño's comment to increase the percentage of residences that provide tandem spaces, Principal Planner Patenaude mentioned that staff is reviewing applications to implement the Cannery Plan and there are portions of that plan that already comply with the 35% regulation, but there are other areas that need up to 50%. The Planning Commission will be reviewing those projects, he added.

There was discussion and clarification regarding tandem parking.

Chair Thnay opened the public hearing at 8:53 p.m.

Mr. Phil Kerr, representing the Olson Company, spoke in favor of the proposed text amendment.

Mr. Brian Stanke, spoke in favor of the proposed text amendment. He asked for more flexibility and to consider higher than 35%.

Mr. Charles McKeag, with Citation Homes, reiterated his support for the proposed text amendment and commended Principal Planner Patenaude on the research.

Mr. Joseph Felson, with Felson Company in Hayward, thanked staff for the accommodation and for reaching consensus. He also mentioned that his Diamond Crossing project is an essentially tandem parking situation that seems to work fine. He urged for the Commission's support.

Chair Thnay closed the public hearing at 9:05 p.m.

Commission Sacks moved the staff recommendation. It was seconded by Commissioner Zermeño.

Commissioner Sacks indicated that the 35% might increase in the future.

Commissioner McKillop entertained a friendly amendment to increase the percentage to 50%.

Commissioners Sacks and Zermeño accepted the amendment.

Commissioner Bogue did not support the amendment, but showed support for the present language on the proposed text amendment. He agreed with the proposed 35% and then to, upon review, proceed on a project-by-project basis.

Commissioner Peixoto expressed that tandem parking has been associated with an emphasis to meet the required density without regard to the impact and quality issues for the citizens in Hayward. He added that the use of tandem parking is not for what it was intended and that it has an element of inconvenience. He indicated that the net result is going to be more cars parked on the street. He also expressed that parking is an issue for Hayward residents and that tandem parking



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should be used sparingly and after careful deliberation and input from the community. He did not support the motion.

After discussion regarding the friendly amendment, Commissioner McKillop retracted her amendment. Commissioners Sacks and Zermefio concurred with the change.

Commissioner Lavelle expressed support for the text amendment as presented in the report. She commended staff for the report presented.

Commissioner Bogue supported the motion and mentioned that the text amendment provides flexibility.

Commissioner Zermefio expressed support for the motion and mentioned that tandem parking may discourage people from having two cars.

Chair Thnay commended Principal Planner Patenaude for a good report and supported the motion expressing concern for when the threshold allowing more density, be reached.

Commissioner Sacks moved, seconded by Commissioner Zermefio, and approved to recommend that the City Council adopt the Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA) guidelines; and approve the proposed text amendment, subject to the attached findings.

AYES:	COMMISSIONERS Lavelle, Sacks, McKillop, Bogue, Zermefio CHAIR Thnay
NOES:	COMMISSIONER Peixoto
ABSENT:	COMMISSIONER None
ABSTAIN:	COMMISSIONER None

~~ADDITIONAL MATTERS~~

~~4. Oral Reports on Planning and Zoning Matters~~

~~Principal Planner Patenaude announced a Green Building Fair on Friday and Saturday, September 9 & 10, 2005 in San Jose. He also announced a Special Joint City Council/Planning Commission Work Session for South Hayward BART Mission Boulevard Concept Plan scheduled for Tuesday, September 13, 2005. He added that at a Council meeting on September 6, Council considered the project on Gading Road, and it was continued to a later date to consider more attention to design detail of the homes.~~

~~5. Commissioners' Announcements, Referrals~~

~~Commissioner Lavelle made announcements related to the upcoming election on November 8.~~

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 2
OF THE HAYWARD MUNICIPAL CODE RELATING TO
TANDEM PARKING REQUIREMENTS

me
9/24/05

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS
FOLLOWS:

Section 1. Section 10-2.407 of the Hayward Municipal Code relating to Tandem Parking Regulations is hereby amended to read as follows:

"SEC. 10-2.407 CENTRAL PARKING DISTRICT NON-RESIDENTIAL
PARKING REQUIREMENTS

"(a) Tandem parking is permitted for single-family and mobilehomes.

(b) Tandem parking may be permitted by the Director of Community and Economic Development/Planning Director for multi-family residences in the Central Parking District when both spaces are assigned to the same dwelling unit and are enclosed within a garage.

(c) Tandem parking may be permitted by the Planning Commission for multi-family residences outside the Central Parking district when both spaces are assigned to the same dwelling unit and are enclosed within a garage and when 1) the development contains at least 20 units and is located within 1,000 feet of a bus route with 7-day service or a rail station; 2) no more than 35 percent of the residences are provided tandem spaces; 3) the tandem garages are spaced or grouped such that vehicular movement conflicts are maximized; and 4) the tandem garages are located such that vehicles back out into an alley or courtyard that provides access to parking facilities only. The percentage of units with tandem garages may be increased by the Planning Commission where such increase serves to meet the goals of an officially-adopted Design plan, including, but not limited to, density and architectural design.

(d) Tandem Parking may be permitted by the Director of Community and Economic Development/Planning Director for commercial parking facilities when a valet/attendant is on duty during the hours when the facility is being used."

Section 2. In accordance with the provisions of Section 620 of the City Charter, this ordinance shall become effective upon its adoption.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held

the ____ day of _____, 2005, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward
held the ____ day of _____, 2005, by the following votes of members of said City
Council.

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED: _____
Mayor of the City of Hayward

DATE: _____

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO. 05-

Introduced by Council Member _____

*me
9/21/05*

RESOLUTION APPROVING THE NEGATIVE
DECLARATION AND ADOPTING TEXT CHANGE
APPLICATION NO. PL-2004-0632, RELATING TO TANDEM
PARKING REGULATIONS

WHEREAS, Text Change Application No. PL 2004-0632 requests an amendment to the Hayward Municipal Code Chapter 10, Article 2, of the City's Zoning Ordinance, relating to Tandem Parking; and

WHEREAS, an initial study and negative declaration have been prepared and processed in accordance with City and CEQA guidelines; and

WHEREAS, the Planning Commission, at its meeting of September 8, 2005, considered the matter and recommended approval of the text changes and adoption of the Negative Declaration, and its action thereon is on file in the office of the City Clerk and is hereby referred to for further particulars.

NOW THEREFORE BE IT RESOLVED, that the City Council hereby finds and determines that:

1. Approval of Text Change Application No. PL-2004-0632 would not cause a significant impact on the environment as documented in the Initial Study prepared pursuant to the California Environmental Quality Act Guidelines;
2. The proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward in that the ability to design multi-family residences will allow for diversity in the type of housing units, more attractive facades and the ability to provide greater density than could otherwise be accommodated;
3. The proposed change is in conformance with all applicable, officially adopted policies and plans in that the Housing Element of the General Plan calls to provide "an adequate supply of housing units in a variety of housing types which accommodate the diverse housing needs" of residents; and
4. Allowing residential units with tandem garages, as conditioned with limitations regarding extent of use and location, will be compatible with present and

potential future uses in the multi-family residential zoning districts, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations.

BE IT RESOLVED, based on the findings noted above, that the negative declaration and Text Change Application No. PL - 2004-0632 are hereby approved, subject to the adoption of the companion ordinance relating to tandem parking.

IN COUNCIL, HAYWARD, CALIFORNIA September 27, 2005

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward